

Application No. 10/587,040  
Art Unit: 2123

Amendment under 37 C.F.R. §1.111  
Attorney Docket No. 062796

**REMARKS**

Please reconsider the application in view of the foregoing amendments and the following remarks.

**Status of Claims**

Claims 1-56 are pending in the present application. Claims 1, 3-6, 23, 25, 32, 46 and 55 are herein amended. No new matter has been presented.

**Information Disclosure Statement**

Applicants note with appreciation the Examiners thorough consideration of the references cited in the Information Disclosure Statement (IDS) submitted on July 24, 2006.

**Claim Rejections - 35 U.S.C. §101**

The Office Action has rejected claim 46 as having non-statutory subject matter because it is drawn to software *per se*. Applicant herein amends claim 46 in order to overcome this rejection.

**As to the Merits**

As to the merits of this case, the Examiner sets forth the following rejections:

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Claims 1, 2 and 7-56 were rejected under 35 U.S.C. 103(a) as being unpatentable over “CAD on the World Wide Web: Virtual Assembly of Furniture with BEAVER” by **Nousch et al.** in view of US Patent Application Publication No. US 2005/0149219 A1 to **Lilly et al.**

Claims 3-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over “CAD on the World Wide Web: Virtual Assembly of Furniture with BEAVER” by **Nousch et al.** in view of US Patent Application Publication No. US 2005/0149219 A1 to **Lilly et al.** as applied to claim 1 above, and further in view of US Patent Application Publication No. US 2002/01 84524 A1 to **Steele et al.**

Each of these rejections is respectfully traversed.

#### Claim Rejections - 35 U.S.C. §103

##### Independent Claims 1 and 46

In a system described in the cited reference 1 (CAD on the World Wide Web: Virtual Assembly of Furniture with BEAVER (Nousch)), members composed of a closet can be customized and it is possible to consider various size of the closet and the like. However, in the system of the cited reference 1, it is not possible to compute inferably and output “the element working time” required to assemble art object composed of the closet with other object.

In a system described. in the cited reference 2 (U. S. Patent Publication No. 2005/0149219 Lilly)), a user does not arrange a plurality of component objects by copying the components within a virtual space copied configured as a working space. In addition, in the system of the cited reference 2, it is not possible to compute inferably and output: “the element working time” required to assemble an object composed of the closet with other object.

Therefore, the invention of the cited reference 2 cannot solve the problem to be solved by the present invention that during consideration of an assembling procedure required for a production design, an optimal procedure is sought while estimating special relation of components and an element working time is sought as an estimating function therefore.

In conclusion, the combination of the cited references 1 and 2 does not suggest nor teach the present invention.

Because the proposed combination of the afore-cited references does not teach or suggest all of the claimed elements and limitations in claims 1 and 46, Applicant submits that claims 1, 2 and 7-56 would not have been obvious over these references. Accordingly, Applicant requests that the rejection under 35 U.S.C. 103 be withdrawn.

**Independent Claim 55**

Applicant herein amends claim 55 so it relates to computer related statutory subject matter to ensure that, in future Office Action, the claim would not be rejected as drawn to non-statutory subject matter under 35 U.S.C. §101 because it is drawn to computer program..

**No Art Based Rejections for Certain elements in Claim 55 – Next Action Cannot Be Made Final**

It is respectfully submitted that the Examiner has entirely failed to address the recitation of claim 55 of “*a verification information acquisition step that acquires verification information for verifying the deviation between the execution content and the production design content, from the execution content performed in the real space based on the production design content; and a verification information output step that outputs to outside the verification information acquired by the verification information acquisition step.*”

In view of the foregoing, Applicant respectfully points out that any art-based rejection of these elements in claim 55 would be presented for the first time in the next Office Action (if another Office Action is indeed generated). As such, the next Action cannot be made final if art-based rejections are presented for the above claims (see 37 C.F.R. § 1.113).

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**Conclusion**

The Claims have been shown to be allowable over the prior art. Applicants believe that this paper is responsive to each and every ground of rejection cited in the Office Action dated July 31, 2009, and respectfully request favorable action in this application. The Examiner is invited to telephone the undersigned, applicants' attorney of record, to facilitate advancement of the present application.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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